



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,088	05/19/2000	Daniel J. Guinan	NAN00-001	9765
23838	7590	12/30/2004	EXAMINER	
KENYON & KENYON 1500 K STREET, N.W., SUITE 700 WASHINGTON, DC 20005			WASYLCHAK, STEVEN R	
			ART UNIT	PAPER NUMBER
			3624	
DATE MAILED: 12/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

### Response to Applicant's Amendment

The amendment and remarks filed on Sept. 3, 2004 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): the Applicant's reply does not comply with 37 C.F.R. 1.111 (b) because previously presented claim 57 refers to claim 55 which contradicts the statement made on the aforementioned amendment and remarks on page 11, last paragraph: "...claims 57-61, depending from claim 56..." and, presently presented claim 51 refers to claim 49, which contradicts page 11, last paragraph: "...claims 51-55, depending from claim 50...". Correction is requested. Also, on page 17 of the specification, line 13, Fig 2 does not have a "negative one" as stated; this appears in the Table 2 on page 20 of the specification. Please clarify the relationship between the dollar amounts and -1 and +1. Following the zero sum reasoning, this would be a negative (\$165) as in Fig 2. Examiner perceives two parallel zero sums: first, the dollar amounts "netting" to zero; and the -1 and +1 numbers for "value amount" and "total" in Table 2 and Table 3 possibly "netting" out to zero as well. Clarification is requested. See 37 C.F.R. 1.111(b). Since the above-mentioned reply appears to be *bona fide*, applicant is given a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. Extensions of this time period maybe granted under 37 CFR 1.136(a).

This action is **NON-FINAL**. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R.

Art Unit: 3624

Wasylichak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylichak

12/22/04



**HANI M. KAZIMI  
PRIMARY EXAMINER**